

**TOWN OF ACTON**

472 Main Street
Acton, Massachusetts 01720
Telephone (978) 929-6631
Fax (978) 264-9630
planning@acton-ma.gov

Planning Department

MEMORANDUM**To:** Planning Board**Date:** July 11, 2016**From:** Roland Bartl, AICP, Planning Director *R. Bartl***Subject:** Sign Special Permit #16-13 —436 Great Road

Applicant:	Yabin Zhai and Michael Barry (Joyful Feet)
Property Owner:	John Kasamaris
Location:	436 Great Road
Sign Type:	Freestanding Sign
Bylaw Sections:	7.13.1.1
Map/Parcel:	C4-27
Zoning:	LB
Proposed Use:	Sign Special Permit under 7.13 in the Zoning Bylaw
Hearing Date:	July 19, 2016
Decision Due Date:	October 17, 2016

Background

Joyful Feet is located at a commercial building at 436 Great Road. This application is for a Sign Special Permit under Section 7.13.1.1 in the Bylaw for approval of a greater number of signs allowed under Section 7.8. The sign rendering from the application indicates that the sign would be located in the Great Road ROW. Since the submittal of the application, the applicant has submitted in writing that the sign would be 30 feet from Great Road. We assume that the applicant is referring to the edge of the pavement. There have not been any updated renderings that confirm that updated comment. The Freestanding Sign would need to be relocated and indicated at least 7 feet away from Great Road ROW on a new rendering. The subject property and building are located within the Limited Business (LB) Zoning District. The Bylaw, Section 7.13 provides the scope and limits for special permit exemptions and the standards by which to evaluate the exemption request.

Comments

The Freestanding Sign that is being proposed is for a greater number of signs than what is allowed:

1. The applicant is seeking an exemption under ZBL Section 7.13.1.1 to allow for an additional Freestanding Sign where only one sign is allowed by-right. The Board has the authority to grant a greater number of signs than allowed under Section 7.8.
2. The existing Freestanding Sign on the property was permitted for LaserMD Med Spa as an administrative sign permit in October 2014. The sign permit was approved to reface a non-conforming sign that does not meet the required setback from the ROW.
3. The maximum by-right display area of a Freestanding Sign is 12 square feet (§7.8.5.1). The proposed Freestanding Sign is shown on the plans as having a total display area of 12 square feet.

The maximum allowed by right height is 7 feet and the plans show the height to be measured at 7 feet.

4. The required landscape area for the proposed sign under Section 7.8.3 in the Bylaw is calculated for a total of 72 square feet. This requirement has not been met because the final approved location of the sign has not determined.
5. The minimum required setback from the Great Road ROW line for the proposed sign is 7 feet because the height of the proposed sign is 7 feet. Lacking any survey information, we deem the ROW to coincide with the pavement seam in the adjacent driveway.
6. The Planning Department compared the request for an additional Freestanding Sign with a similar approved Sign Special Permit and inquiries based on the number of tenants and the total lot frontage. Signs that have more than one tenant are considered a Business Center Sign (§7.8.5.2).
7. 531 Main Street just received a Sign Special Permit:
 - 10 tenants
 - Total lot frontage - 370 feet
8. The tenants at 179 Great Road have inquired about the possibility of a second Freestanding Sign:
 - 9 tenants
 - Total lot frontage - 290 feet
9. The owners of 69-83 Great Road have also inquired about a second Freestanding Sign:
 - 11 tenants
 - Total lot frontage - 470 feet
10. The proposed Freestanding Sign at 436 Great Road is not considered a Business Center Sign and the site only has 179 feet of lot frontage.
11. One suggestion could be for the applicant to revise their proposed plans to have their business sign located under the existing Freestanding Sign on the property. The existing sign would then become a Business Center Sign (§7.8.5.2) and would then be allowed larger dimensions in compliance with the dimensional requirements for a Business Center Sign. This has been explained to the applicant as an option before he filed for the Sign Special Permit. This Business Center Sign could be handled as an administrative sign permit with the Planning Department

The Board has the authority to grant the requested Special Permit. As with all Sign Special Permits the Board must find that the sign meets the criteria set forth in ZBL section 7.13.2. The Planning Department would defer to the Planning Board on the action that they would like to take upon this Sign Special Permit request.